

TUESDAY, FEBRUARY 16, 1999

At 9:30 a.m., the court met in the Library & Courts Building to begin it's court calendar session.

PRESENT: BLEASE, Acting Presiding Justice
 DAVIS, Associate Justice
 HULL, Associate Justice

Bailiff: Rios.
Calendar called.

Civil THE PEOPLE
No. v.
C030654 ONE 1986 CADILLAC DEVILLE LICENSE NO. 3DMS745
 FRANCISCO J. SANDOVAL

Civil THE PEOPLE
No. v.
C030655 ONE 1984 MERCEDES 190E LICENSE NO. 1HYY136
 CATHLEEN BROWN

Cause called. Phillip R. Urie, District Attorney argued for Plaintiff-Appellant with additional citations. Jose R. Rodriguez did not appear for Defendant-Respondent. Richard J. Gibson, Jr. argued fro Defendant-Respondent. Cause submitted.

Civil JOHN E. BOULDIER et al.
No. v.
C029146 STATE OF CALIFORNIA et al.

Cause called. Linda D. Dismukes argued for Plaintiffs-Appellants. Shelleyanne W. L. Chang, Deputy Attorney General argued for Defendants-Respondents. Cause submitted.

At 10:24 a.m., court recessed. At 10:33 a.m., court reconvened with the Acting Presiding Justice Morrison, Associate Justice Hull, and Associate Justice Puglia.

TUESDAY, FEBRUARY 16, 1999 CONTINUED

Civil RALPH MARTIN ET AL.
No. v.
C028403 DEPARTMENT OF HIGHWAY PATROL et al.
CALIFORNIA ASSOCIATION OF HIGHWAY PATROLMEN
Cause called. William L. Williams, Jr. argued for Plaintiff-Appellants. Roy J. Chastain, Labor Relation Counsel argued for Defendants-Respondents. Richard J. Romanski, of Litigation Solutions Law Group argued for Intervenor-Respondent. Cause submitted.

At 11:01 a.m., court recessed. At 11:08 a.m., court reconvened with the same panel except Associate Justice Callahan in place of Associate Justice Hull.

Civil NOEL LOUIS DRAEGER
No. v.
C027768 SALLY REED, as DIRECTOR, etc.
Cause called. Karin L. Polli, Deputy Attorney General argued for Defendant-Appellant-X-Respondent. Susan Kay McGuire argued for Plaintiff-Respondent-X-Appellant. Cause submitted.

At 11:38 a.m., court recessed. At 2:03 p.m., court reconvened with the same panel except Acting Presiding Justice Blease in place of Acting Presiding Justice Morrison.

Crim. THE PEOPLE
No. v.
C024539 JOSEPH IRVING MIDDLESWORTH
Cause called. Michael B. Dashjian, court appointed counsel argued for Defendant-Appellant. W. Scott Thorpe, Deputy Attorney General argued for Plaintiff-Respondent.

At 2:35 p.m., court recessed. At 2:40 p.m., court reconvened with the same panel except Associate Justice Davis in place of Associate Justice Puglia.

TUESDAY, FEBRUARY 16, 1999 CONTINUED

Crim. THE PEOPLE
No. v.
C026804 STEVEN SEBATIAN McCURRY

Cause called. Hilda Scheib, court appointed counsel argued for Defendant-Appellant. John G. McLean, Deputy Attorney General argued for Plaintiff-Respondent. Cause submitted.

At 3:10 p.m., court recessed. At 3:15 p.m., court reconvened with Acting Presiding Justice Blease, Associate Justice Raye, and Associate Justice Morrison.

Crim. THE PEOPLE
No. v.
C023551 CHARLES FREDERICK NEELY

Cause called. Mark Greenberg, court appointed counsel argued for Defendant-Respondent. Ward A. Campbell, Deputy Attorney General argued for Plaintiff-Appellant. (Consolidated with C023551) Cause submitted.

Crim. THE PEOPLE
No. v.
C024936 CHARLES FREDERICK NEELY

Cause called. Mark Greensberg, court appointed counsel argued for Defendant-Appellant. Ward A. Campbell, Deputy Attorney General argued for Plaintiff-Respondent. (Consolidated with C024936) Cause submitted.

At 3:59 p.m., court recessed at 3:59 p.m., until 9:30 a.m., Wednesday, February 16, 1999.

Crim. THE PEOPLE (Not for Publication)
No. v.
C029745 ERIC LYNN ROBINSON

The order denying defendant's application for presentence custody credit spent at New Direction is vacated. The matter is remanded for the superior court to redetermine defendant's entitlement to such credit.

RAYE, J.

We concur: BLEASE, Acting P.J.
HULL, J.

TUESDAY, FEBRUARY 16, 1999 CONTINUED

Crim. THE PEOPLE (Not for Publication)
 No. v.
 C027963 BRADLEY CLYDE GOODRICH
 The judgment is affirmed.
 DAVIS, J.
 I concur: RAYE, J.
 I reluctantly concur:
 SIMS, Acting P.J.

Crim. THE PEOPLE (Not for Publication)
 No. v.
 C028112 CYNTHIA LOU REYNOSO
 The judgment is affirmed.
 NICHOLSON, J.
 We concur: SCOTLAND, P.J.
 MORRISON, J.

Civil VICKI KENDRICK et al. (Not for Publication)
 No. v.
 C029054 COUNTY OF SACRAMENTO et al.

The judgment is reversed with direction to enter a new order denying defendants' motion for summary judgment. Plaintiffs shall recover costs.

CALLAHAN, J.

We concur: BLEASE, Acting P.J.
 RAYE, J.

WEDNESDAY, FEBRUARY 17, 1999

Crim. THE PEOPLE
 No. v.
 C028401 STEVEN BOYCE CRADER
 BY THE COURT:
 Appellant's petition for rehearing is denied.
 Dated: February 17, 1999
 DAVIS, Acting P.J.

WEDNESDAY, FEBRUARY 17, 1999 CONTINUED

At 9:30 a.m., the court met in the Library & Courts Building for a continuation of court calendar session.

PRESENT: SCOTLAND, Presiding Justice
MORRISON, Associate Justice
HULL, Associate Justice

Bailiff: Conrad.
Calendar called.

Crim. THE PEOPLE
No. v.
C027439 SHANE ALAN SCHMITT

Cause called. John Ward, court appointed counsel argued for Defendant-Appellant. Anthony L. Dicce, Deputy Attorney General argued for Plaintiff-Respondent. Cause submitted.

At 9:42 a.m., court recessed. At 9:45 a.m., court reconvened with Acting Presiding Justice Blease, Associate Justice Sims, and Associate Justice Morrison.

Juvenile DEBBIE Q.
No. v.
C031251 SUPERIOR COURT, SACRAMENTO COUNTY
DEPARTMENT OF HEALTH AND HUMAN SERVICES et al.

Cause called. Robert R. Schaldach, argued for Petitioner. Elizabeth H. Wright, Special Counsel argued for Real Party in Interest Department of Health & Human Services. Rebecca Phillips Freie, of Sacramento Child Advocates argued for Real Party in Interest Dallas F. Cause submitted.

Crim. THE PEOPLE
No. v.
C025145 DON CORNELIOUS LIVINGSTON

Cause called. Hilda Scheib, court appointed counsel argued for Defendant-Appellant. Mark A. Johnson, Deputy Attorney General argued for Plaintiff-Respondent. Cause submitted.

Court recessed at 10:33 a.m., until 9:30 a.m., Friday, February 19, 1999.

WEDNESDAY, FEBRUARY 17, 1999 CONTINUED

Crim. THE PEOPLE (Not for Publication)
 No. v.
 C027800 BRIAN JAMES YOUNG

The judgment is affirmed.

CALLAHAN, J.

We concur: SCOTLAND, J.
 SIMS, J.

Crim. THE PEOPLE (Not for Publication)
 No. v.
 C027748 ARTHUR REY MIRANDA

The abstract of judgment filed October 8, 1997, is modified to reflect that the 10-year enhancement for count 1 shall be added to the total determinate term of the remaining counts, and the line 8 entry under the caption "Total Term Imposed" shall read 31 rather than 21 years. The clerk shall prepare a modified abstract of judgment and forward it to the Department of Corrections. So modified, the judgment is affirmed.

CALLAHAN, J.

We concur: SIMS, Acting P.J.
 NICHOLSON, J.

Crim. THE PEOPLE (Not for Publication)
 No. v.
 C028546 BILLY GENE BURNEY III

The judgment is affirmed.

CALLAHAN, J.

We concur: SCOTLAND, P.J.
 SIMS, J.

Crim. THE PEOPLE (Not for Publication)
 No. v.
 C028470 JULIEN LOUIS PROVENCHER

The judgment is affirmed.

DAVIS, J.

We concur: SIMS, Acting P.J.
 RAYE, J.

WEDNESDAY, FEBRUARY 17, 1999 CONTINUED

Juvenile No. C030210	Adoption of MONROE B., a Minor. LARRY S. (Not for Publication) v. MARK B. et al. The judgment is affirmed. <div style="text-align: right;">SIMS, J.</div>
	We concur: BLEASE, Acting P.J. MORRISON, J.
Crim. No. C028604	THE PEOPLE (Not for Publication) v. AUNDREY DONALD BALDWIN The judgment is affirmed. <div style="text-align: right;">DAVIS, Acting P.J.</div>
	We concur: NICHOLSON, J. HULL, J.
Crim. No. C027906	THE PEOPLE (Not for Publication) v. JOSE ANGEL OQUENDO The superior court is directed to prepare an amended abstract of decision showing a \$1500 restitution fine and forward it to the Department of Corrections. The judgment is affirmed. <div style="text-align: right;">DAVIS, Acting P.J.</div>
	We concur: NICHOLSON, J. HULL, J.
Crim. No. C029068	THE PEOPLE (Not for Publication) v. BRYON GENE PITLOCK The judgment is affirmed. <div style="text-align: right;">CALLAHAN, J.</div>
	We concur: DAVIS, Acting P.J. MORRISON, J.

WEDNESDAY, FEBRUARY 17, 1999 CONTINUED

Crim. THE PEOPLE (Not for Publication)
No. v.
C030346 KATHY EUGENIE POLLARD
The judgment is affirmed
DAVIS, J.
We concur: SIMS, Acting P.J.
RAYE, J.

THURSDAY, FEBRUARY 18, 1999

Juvenile No. C031251

DEBBIE Q.
v.
SUPERIOR COURT OF SACRAMENTO COUNTY
DEPARTMENT OF HEALTH AND HUMAN SERVICES et al.

The judgment is affirmed.

BLEASE, Acting P.J.

We concur: SIMS, J.
MORRISON, J.

Crim. THE PEOPLE (Not for Publication)
No. v.
C030001 LEX TROY DILLMAN
the judgment is affirmed.
RAYE, Acting P.J.
We concur: MORRISON, J.
CALLAHAN, J.

Civil NOEL LOUIS DRAEGER (Certified for Publication)
No. v.
C027768 SALLY REED, as Director, etc.

The judgment is affirmed. Each party shall bear his or her own
costs. (CERTIFIED FOR PUBLICATION)

CALLAHAN, J.

We concur: MORRISON, Acting P.J.
 PUGLIA, J.

THURSDAY, FEBRUARY 18, 1999 CONTINUED

Crim. THE PEOPLE (Not for Publication)

No. v.

C030105 JOSE LUIS RONQUILLO

The judgment is affirmed.

CALLAHAN, J.

We concur: BLEASE, Acting P.J.

NICHOLSON, J.

Crim. THE PEOPLE (No for Publication)

No. v.

C030297 JOANN LEE JONES

The judgment is affirmed.

RAYE, Acting P.J.

We concur: MORRISON, J.

CALLAHAN, J.